

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kenten et al.

Application No.: 10/681,389 Filing Date: October 7, 2003

Title: UBIQUITIN FUSION-BASED VACCINE SYSTEM

Examiner: Not yet assigned Art Unit: Not yet assigned Docket No.: IGN-2005US02

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with The United States Postal Service as First Class Mail in an envelope Addressed to Honorable Commissioner of Patents, and Trademarks, Washington, DC 20231 on \_ 1198104

PIERCE ATWOOD

## RESPONSE TO NOTICE TO COMPLY

U.S. Patent and Trademark Office Box Sequence P.O. Box 2327 Arlington, VA 22202

Sir:

On January 20, 2004, a NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES (referred to herein as NOTICE TO COMPLY) was mailed from the Patent Office. This paper is filed in response to the Notice to Comply.

The above-referenced patent application claims priority to divisional U.S. Application No. 09/964,201, filed September 26, 2001. The Applicant's Attorney filed, as part of the priority application, a CRF and paper copy of a Sequence Listing, on May 16, 2002. As required by 37 (P0046866.1)

CFR 1.821(e), please use the prior filed compliant computer readable Sequence Listing that is already on file as part of the above-identified application. Please find attached a paper copy of the Sequence Listing.

As required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d) Applicants' Attorney hereby states that the content of the Sequence Listing in paper form and on the computer readable form of the Sequence Listing are the same, and the submission includes no new matter.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 500282.

Respectfully submitted,

Kevin M. Farrell

Attorney for Applicant Registration No.: 35,505

(603) 433-6300

Dated: 1\Z6\64
Portsmouth, NH

P0046866.DOC



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria Virginia 22313-1450

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/681.389

10/07/2003

John H. Kenten

IGN-2005US02

Kevin M. Farrell Suite 350 One New Hampshire Avenue Portsmouth, NH 03801

**CONFIRMATION NO. 7446 FORMALITIES LETTER** \*OC000000011719755\*

Date Mailed: 01/20/2004

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE **DISCLOSURES**

Filing Date Granted

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

 This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

# Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE